

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1001 be amended to read as follows:

- 1       Page 22, between lines 14 and 15, begin a new paragraph and insert:  
2       "SECTION 25. IC 20-8.1-5.1-10, AS AMENDED BY  
3       P.L.264-2001, SECTION 3, IS AMENDED TO READ AS FOLLOWS  
4       [EFFECTIVE JULY 1, 2002]: Sec. 10. (a) As used in this section,  
5       "firearm" has the meaning set forth in IC 35-47-1-5.  
6       ~~(b) As used in this section, "bomb" has the meaning set forth in~~  
7       ~~IC 35-41-1-4.3.~~  
8       ~~(c)~~ **(b)** As used in this section, "deadly weapon" has the meaning set  
9       forth in IC 35-41-1-8. The term does not include a firearm or ~~bomb~~.  
10      **destructive device.**  
11      **(c) As used in this section, "destructive device" has the meaning**  
12      **set forth in IC 35-47.5-2-4.**  
13      (d) Notwithstanding section 14 of this chapter, a student who is:  
14          (1) identified as bringing a firearm or ~~bomb~~ **destructive device**  
15          to school or on school property; or  
16          (2) in possession of a firearm or ~~bomb~~ **destructive device** on  
17          school property;  
18      must be expelled for a period of at least one (1) calendar year, with the  
19      return of the student to be at the beginning of the first school semester  
20      after the end of the one (1) year period.  
21      (e) The superintendent may, on a case-by-case basis, modify the  
22      period of expulsion under subsection (d) for a student who is expelled  
23      under this section.  
24      (f) Notwithstanding section 14 of this chapter, a student who is:  
25          (1) identified as bringing a deadly weapon to school or on school  
26          property; or  
27          (2) in possession of a deadly weapon on school property;  
28      may be expelled for a period of not more than one (1) calendar year.  
29      (g) A superintendent or the superintendent's designee shall  
30      immediately notify the appropriate law enforcement agency having  
31      jurisdiction over the property where the school is located if a student

engages in a behavior described in subsection (d). The superintendent may give similar notice if the student engages in a behavior described in subsection (f). Upon receiving notification under this subsection, the law enforcement agency shall begin an investigation and take appropriate action.

(h) A student with disabilities (as defined in IC 20-1-6.1-7) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. 1415.".

Page 55, line 32, delete "or".

Page 55, between lines 33 and 34, begin a new line block indented and insert:

**"(4) places; or**

**(5) detonates;"**.

Re-number all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 22, 2002.)

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Senator ZAKAS